

DRAFT
MINUTES
STATE CONSERVATION COMMISSION

June 17, 2004
DIVISION OF CONSERVATION DISTRICTS
123 WEST NYE LANE, ROOM 217
CARSON CITY, NV 89706

I. CALL TO ORDER

- A.** The meeting was called to order at 9:00 a.m. on Thursday, June 17, 2004 by Chairman James Settelmeyer. Self-introductions of those present as follows:

MEMBERS PRESENT

James Settelmeyer, Gardnerville
Keith Whipple, Hiko
Vance Vesco, Winnemucca
Judy Currier, Las Vegas
Joe Sicking, Winnemucca
Howard Glancy, Dayton Valley
Dr. Rangesan Narayanan, UNR, College of Agriculture

MEMBERS ABSENT

Don Henderson, Department of Agriculture
Sterling Wines, Ely

OTHERS PRESENT

Pamela B. Wilcox, Executive Secretary to the Commission
Sandi Gotta, Nevada Division of Conservation Districts
Kelly McGowan, Nevada Division of Conservation Districts
Chris Freeman, Nevada Association of Conservation Districts
Ana J. Jimenez, Nevada Division of Conservation Districts
William Elder, Natural Resources Conservation Service
Roger Van Valkenburg, Farm Service Agency
Ken Thompson, Fallon
Brian Thomas, Duck Valley Conservation District

II. REVIEW, AMMENDMENT AND APPROVAL OF MINUTES – *ACTION*

- A. After reviewing the minutes, Vance Vesco made a motion to approve the minutes from the February 25th meeting, Howard Glancy seconded the motion, motion passed.

III. PUBLIC COMMENT

- A. Brian Thomas with the Duck Valley Conservation District announced that the 2nd National Tribal Districts & Tribal Conservation Advisory Councils will hold their second national annual meeting December 6-10, 2004 in Las Vegas, Nevada. The Oklahoma Tribal Conservation Advisory Council will sponsor the meeting. On December 8, 2004 the Duck Valley Conservation District will be recognized as the oldest tribal conservation district in the United States and will be giving a presentation on their projects and activities. Brian said the district would like to recognize Nevada Division of Conservation Districts staff, the Nevada State Conservation Commission, and NvACD conservation leaders, in the State of Nevada for their continued support to the district and requested their presence at this meeting.
- B. Ken Thompson has been working on a weed bill to be introduced next legislative session to request funding for weed eradication, which he brought to the commission's attention for review, comments and suggestions. James Settelmeyer recommended this item be on the agenda for the next commission meeting in order to make a vote of support on Mr. Thompson's request. Kelly told Mr. Thompson that he would include information about the weed bill in the division's forthcoming newsletter.

IV. REPORTS TO THE COMMISSION - STAFF

- A. *Status of the Division of Conservation Districts:*
 - 1. Fiscal Reports – Pamela B. Wilcox
 - a. Ms. Wilcox gave an update on the current fiscal year's budget.
- B. *Status of the Conservation Districts:*
 - 1. *Conservation District meeting logs – Kelly McGowan*
 - a. Kelly reviewed the meeting logs from the 28 conservation districts; according to the agency's logs only 20 districts out of 28 have held the minimum requirement of three meetings. Kelly clarified that it doesn't mean they haven't held the meetings; it just means that the division has not received confirmation that the meetings have been held. Kelly pointed out to the commission that the meeting logs reflect the date the meeting agendas are received and the date of the actual meeting. There are some cases when the agendas are received after the meeting has been held. Ms. Wilcox stated that the agendas should be received at least three days prior to the actual meeting and the meeting minutes within 30 days after the meeting.
 - 2. *Status of Conservation Districts – Kelly & Sandi*
 - a. Sandi talked about the bill draft request that was submitted. The bill draft would allow the commission to provide grants from other sources to qualifying conservation districts. This BDR would not affect the current state grant program.
 - b. Staff also reported that a ruling from the attorney general's office has not yet been received about whether or not the Financial Disclosures Statements have to be filed by conservation district elected officials.
 - c. In reviewing district minutes and agendas staff determined that districts are in need of training on the Open Meeting Law. The Open Meeting Law is being highly scrutinized therefore, staff considers it necessary to assist or train the districts in meeting the minimum requirements to be in compliance.

Judy Currier said some time ago allegations had been made that CD of Southern Nevada was not complying with the Open Meeting Law. The district worked closely with their county district attorney representative, who assisted them in complying with the Open Meeting Law. Judy suggested that districts contact their county district attorney and ask them attend one of their meetings and have them do an evaluation of what the district is doing right or wrong. She added that the county district attorney is the best source districts have to comply with the Open Meeting Law. Ms. Wilcox also addressed the possibility that as districts receive more funding, it is possible for them to run a higher risk of having someone question their meeting procedures; which is why it is important for districts to be in compliance with the Open Meeting Law.

- d. Regarding the questionnaire that staff mailed out, so far more than half of the districts have responded. Watershed restorations and weeds are priorities for many of the districts that answered the questionnaire. In addition, districts responded they would need and would be able to match \$945,000. Kelly stated that districts have definitely established a need for additional funding.
- e. NRCS received grant funding and asked Chris Freeman, President of the Nevada Association of Conservation Districts to administer the funds. Sandi helped Chris write a statement of work; which is basically a request for proposals. NRCS asked that one of the proposals be written for weeds and the other for water quality and water conservation. It is a non-matching grant program, the request for proposals will go on NRCS' website. Non-profit organizations and sub-divisions of state are eligible to apply. Staff will notify districts of the new grant opportunity as soon as it is finalized and assist districts as needed to apply for these grants.

V. REPORTS TO THE COMMISSION

Department of Conservation & Natural Resources – Mike Turnipseed was not present.

Department of Agriculture – Don Henderson was not present.

University of Nevada, Reno - Dr. Rangesan Narayanan reported on new positions; one in aquatic ecology, landscape ecology, range-plant ecology and an agri-business position. The first three are in the Department of Natural Resources and Environmental Science, and the other is in the Department of Resource Economics.

There is a great need for an agriculture program in the state; Southern Nevada Community College has a two-year degree agricultural program and they are trying to partner with UNR to turn it into a four-year degree program. The agri-rangeland funding received from Harry Reid was reduced this year; in the past they have received \$500,000 this year they received \$450,000.

Natural Resource Conservation Service – Bill Elder reported on behalf of Livia Marquez. Bill Elder was recently assigned to Nevada as the Assistant State Conservationist for operations. Mr. Elder reported that the grants that NRCS is issuing (previously discussed in item IV. B. 2. (e)) have a very quick turnaround; performance needs to be completed within 30 days of the grants being issued.

The Reno NRCS field office was closed, staff has been relocated, and other staff left voluntarily. One of Mr. Elder's work responsibilities is to investigate opportunities to continue servicing the area, particularly the northern part of Washoe County. Sandi requested follow up from Mr. Elder about the Vya Conservation District's concern with their service area because they have a lot of projects going in that area. Vya CD was told that there was an agreement being pursued that California would be hiring a new range conservationist for the Alturas office to cover their area. Since then, Sandi has received several calls with concerns that California was not able to receive funding to hire a new range conservationist.

Farm Service Agency – Roger Van Valkenburg reported on the two main conservation programs FSA is involved in: the first one is the Emergency Conservation Program, of which most of the state was eligible last year because of drought. \$505,000 was spent in the last fiscal year. Approximately 40% of those funds were for water hauling; the other 20% was spent in spring development and well development. The other conservation program is EQIP, primarily an NRCS program. FSA assists NRCS with some of the administrative functions of the program. The total allocation for the state was about \$6.8 million, which has been obligated for projects.

Nevada Association of Conservation Districts - President, Chris Freeman reported only nine districts out of twenty-eight have paid dues so far. He has already sent billing requests for dues.

The annual meeting is scheduled for October 27th through the 28th at the Carson Valley Inn. Chris is having Ray Ledgerwood work with the commission on October 26th to do a business plan. On the 27th Mr. Ledgerwood is scheduled to work with all the districts, either on legislative plans or long range plans for the association until 2:45 pm. At 3 pm. Mr. Ledgerwood will do a separate training with NRCS employees and district supervisors, on how to be more effective with conservation districts as a district employee or an NRCS employee. The second day there will be reports from the association's officers, he also scheduled Kelly and Sandi to do some training with the districts, and district show and tell. Scheduled for the afternoon is the business meeting with long range plan discussion, reviewing and voting on resolutions, poster contest, nominations for commission members and election of officers, then the commission meeting follows to take any necessary action that may be brought up during the resolutions. The banquet will begin at 6:30 pm. with the scholarship awards.

The NACD Pacific Region Meeting is being held in Alaska this year. There will be a district employee session on September 17th and 18th and the official meeting will begin on the 19th with the meeting ending on the 22nd.

Chris also encouraged districts to apply for the NRCS grant; he and division staff is willing to assist districts in applying for the available funds.

Nevada Division of Conservation District staff (Sandi and Ana) and Chris attended the NACD spring board meeting in Washington, DC in March. Staff was very successful in meeting with senators, congressmen and congresswoman, and their staff.

VI. OLD BUSINESS

- A. *Approval of disbursement of remaining grant funds for fiscal year 2004 to qualified conservation district:*

Joe Sicking made a motion to distribute the remaining grant funds to all the qualifying districts per the accounting handout provided by staff. Vance Vesco seconded the motion. Motion passed.

- B. *Review of adopted "Conservation District Grant Program Policies and Procedures" with discussion and possible action for revision:*

Keith Whipple made a motion to accept the Conservation District Grant Program Policies and Procedures. Joe Sicking seconded the motion. Motion passed.

VII. NEW BUSINESS

- A. *Review compliance of districts to Open Meeting Law and review of district meeting logs:*

Kelly reviewed NAC 548.110 Prerequisites for conservation district to be in good standing, and asked the commission to keep them in mind when reviewing the district's budgets.

1. *Hold regularly scheduled meetings of the governing board of the district.*
2. *Hold meetings at least three times each year, one of which must be an annual meeting.*
3. *Properly give notice of each meeting, prepare an agenda and issue it in conformance with the requirements of chapter 241 of NRS.*
4. *File the agenda for and the minutes taken at each meeting with the division within 30 days after the meeting.*
5. *Hold an election of officers before the 10th of November of each even-numbered year, and submit the results of the election to the commission before the 30th of the month.*
6. *Develop an annual work plan and budget and submit them to the commission by the 1st of June of each year.*
7. *Develop an annual report and financial report and submit them to the commission by the 30th of September of each year for the immediately proceeding fiscal year.*

The commission asked staff to write a letter to all the districts advising them that they need to adhere to the deadlines referenced in NAC 548.110, and informing them that training will be offered at the annual meeting in October. Joe Sicking made a motion for the letter to go out to all the districts. Vance Vesco seconded the motion. Motion passed.

- B. *Review of conservation districts' budgets. Determination of compliance of budgets with legal requirements:*

Judy Currier made a motion to send a letter to districts encouraging them to include in-kind match in their budgets. Joe Sicking seconded the motion. Motion passed.

1. Big Meadow – Judy Currier motioned to approve their annual budget. Joe Sicking seconded the motion. Motion passed.

2. Carson Valley – needs to be balanced and more detail included.
3. CD of Southern NV – needs to be balanced.
4. Clover Valley – Judy Currier motioned to approve their budget. Keith Whipple seconded the motion. Motion passed.
5. Dayton Valley – Vance Vesco motioned to approve their budget. Joe Sicking seconded the motion. Motion passed.
6. Duck Valley – Judy Currier motioned to approve their budget. Joe Sicking seconded the motion. Motion passed.
7. Esmeralda County – Vance Vesco motioned to approve their budget. Joe Sicking seconded the motion. Motion passed.
8. Eureka – Judy Currier motioned to approve their budget. Vance Vesco seconded the motion. Motion passed.
9. Jiggs – Judy Currier motioned to approve their budget. Joe Sicking seconded the motion. Motion passed.
10. Lahontan – Judy Currier motioned to approve their budget. Keith Whipple seconded the motion. Motion passed.
11. Lamoille – Judy Currier motioned to approve their budget. Vance Vesco seconded the motion. Motion passed.
12. Lander County – Joe Sicking motioned to approve their budget. Judy Currier seconded the motion. Motion passed.
13. Lincoln County – Joe Sicking motioned to approve their budget. Judy Currier seconded the motion. Motion passed.
14. Mason Valley – Vance Vesco motioned to approve their budget. Keith Whipple seconded the motion. Motion passed.
15. Nevada Tahoe – Judy Currier motioned to approve their budget. Keith Whipple seconded the motion. Motion passed.
16. Northeast Elko – Keith Whipple motioned to approve their budget. Vance Vesco seconded the motion. Motion passed.
17. Owyhee – Judy Currier motioned to approve their budget. Joe Sicking seconded the motion. Motion passed.
18. Paradise-Sonoma – Keith Whipple motioned to approve their budget. Judy Currier seconded the motion. Motion passed.
19. Quinn River – Not received – no action taken.
20. Ruby Valley – Not received – no action taken.
21. Smith Valley – Joe Sicking motioned to approve their budget. Keith Whipple seconded the motion. Motion passed.
22. Southern Nye County – Judy Currier motioned to approve their budget. Vance Vesco seconded the motion. Motion passed.
23. Star Valley – Vance Vesco motioned to approve their budget. Joe Sicking seconded the motion. Motion passed.
24. Stillwater – Judy Currier motioned to approve their budget. Keith Whipple seconded the motion. Motion passed.
25. Tonopah – needs to be balanced.
26. Vya – Judy Currier made a motion to ask for clarification on the amount reflected on their budget for NRCS Administrative and Technical Support. Joe Sicking seconded the motion. Motion passed.
27. Washoe Storey – Keith Whipple motioned to approve their budget. Judy Currier seconded the motion. Motion passed.

28. White Pine – Judy Carrier motioned to approve their budget, upon clarification of amount for State Executive Director on their budget. Joe Sicking seconded the motion. Motion passed.

C. *Preliminary designation of “good standing” status of conservation districts*

Keith Whipple made a motion for staff to request clarification from the districts that do not have a balanced budget, and to request the required minutes and agendas to be found in good standing from the districts that have not submitted them; pending clarification the budgets will be approved at the July 27th teleconference. Judy Carrier seconded the motion. Motion passed.

D. *Preliminary designation of conservation districts eligible for commission grants in fiscal year 2005.*

Judy Carrier made a motion to find districts preliminarily eligible for commission grants. Joe Sicking seconded the motion. Motion passed.

E. *Review and discussion of Bill Draft Request submitted by the Division of Conservation Districts to enable disbursement of additional funds:*

Item was discussed under Item IV,B,2(a), Staff Reports to the Commission.

F. *Status of conservation districts with respect to financial disclosure filing requirements:*

The Commission asked staff to write a letter to the districts and informing them of the attorney general’s opinion as soon as it is received. Judy Carrier made a motion for staff to write a letter to the districts explaining the need for the attorney general’s opinion regarding the Financial Disclosures Statements, and the final determination. Keith Whipple seconded the motion. Motion passed.

VIII. STAFF ITEMS – Division staff comments

- A. Kelly talked to the commission about recent inquiries on how to form new districts. The commission recommended that forming new districts should not be encouraged. Any requests to form a new district will be reviewed on a case-by-case basis.

IX. PUBLIC COMMENTS

None.

X. NEXT COMMISSION MEETING

- A. The next commission meeting will be a teleconference at the Division of Conservation Districts office on Tuesday, July 27, 2004 at 1:30 pm.

XI. ADJOURNMENT

The meeting was adjourned at 1:30 pm.

Respectfully submitted,
Ana J. Jimenez
Administrative Assistant II